

201-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16679-2021
Date of decision: 25.01.2023

VEENA BAMBORIA

...Petitioner

VERSUS

CHAUADHARY RANBIR SINGH UNIVERSITY, JIND AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Chirag Kundu, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Advocate
for respondent No.1.

Mr. Prateek Mahajan, Advocate,
Mr. Daanish Mahajan, Advocate and
Mr. Jaskirat Singh, Advocate
for respondents No.2 and 3.

JAISHREE THAKUR, J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of certiorari for quashing order dated 17.04.2020 (Annexure P-5), whereby dues/arrears claimed by the petitioner herein have been denied.

Learned counsel for respondents No.2 and 3 would submit that respondent No.3 is a private educational institution receiving no aid from the Government and the petitioner herein being an erstwhile employee of the said educational institute would have to approach the Educational Tribunal, which has been constituted in terms of the directions of the Apex Court in T.M.A. Pai

Foundation's case for redressal of her grievance.

The short question posed for adjudication at the present moment would be whether the dispute as sought to be raised can be adjudicated by this Court in view of the fact that the Educational Tribunal has been set up in terms of the judgment as referred above and the answer would be in the negative. Once the Educational Tribunal has been set up to deal with all the issues arising between an employee and the educational institution of an unaided University/College, this Court would have no jurisdiction to entertain the said matter.

Learned counsel for the petitioner has relied upon a judgment rendered by this Court in *Ravneet Kaur versus The Christian Medical College, Ludhiana, 1997(3) SCT 210* to submit that the present issue would be maintainable before the High Court. The judgment relied upon by the petitioner relates to a question of admission and not an issue relating to service conditions of an employee of a private educational institution, so the judgment as relied upon by learned counsel for the petitioner is not applicable in the present case.

In view of the above, let the matter between the parties raised in this writ petition be heard by the Educational Tribunal, Jind, who would take a decision on the same expeditiously.

The parties are directed to put in an appearance before the Educational Tribunal, Jind on 20.04.2023.

The instant writ petition is disposed of accordingly.

25.01.2023
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No